

TITLE 4. CONSERVATION AND NATURAL RESOURCES

MARINE RESOURCES COMMISSION

Final Regulation

REGISTRAR'S NOTICE: The Marine Resources Commission is claiming an exemption from the Administrative Process Act in accordance with § 2.2-4006 A 11 of the Code of Virginia; however, the commission is required to publish the full text of final regulations.

Title of Regulation: **4VAC20-1090. Pertaining to Licensing Requirements and License Fees (amending 4VAC20-1090-30).**

Statutory Authority: § 28.2-201 of the Code of Virginia.

Effective Date: November 1, 2015.

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Summary:

The amendment separates the fish pot and eel pot license into two separate licenses to track the purchase of each license; the license fee is unchanged.

4VAC20-1090-30. License fees.

The following listing of license fees applies to any person who purchases a license for the purposes of harvesting for commercial purposes, or fishing for recreational purposes, during any calendar year. The fees listed below include a \$1.00 agent fee.

1. COMMERCIAL LICENSES	
Commercial Fisherman Registration License	
Commercial Fisherman Registration License for a person 70 years or older	
Delayed Entry Registration	
Delayed Entry Registration License for a person 70 years or older	
Seafood Landing License for each boat or vessel	
For each Commercial Fishing Pier over or upon subaqueous beds (mandatory)	
Seafood Buyer's License -- For each boat or motor vehicle	
Seafood Buyer's License -- For each place of business	
Clam Aquaculture Product Owner's Permit	
Oyster Aquaculture Product Owner's Permit	
Clam Aquaculture Harvester's Permit	
Oyster Aquaculture Harvester's Permit	
Nonresident Harvester's License	
2. OYSTER RESOURCE USER FEES	
Any licensed commercial fisherman harvesting oysters by hand	

For any harvester using one or more gear types to harvest oysters or for any registered commercial fisherman who solely harvests or possesses any bushel limit described in 4VAC20-720-80, only one oyster resource user fee, per year, shall be paid	
On any business shucking or packing no more than 1,000 gallons of oysters	
On any business shucking or packing more than 1,000 but no more than 10,000 gallons of oysters	
On any business shucking or packing more than 10,000 but no more than 25,000 gallons of oysters	
On any business shucking or packing more than 25,000 gallons of oysters	
On any oyster buyer using a single truck or location	
On any oyster buyer using multiple trucks or locations	
Commercial aquaculture operation, on riparian assignment or general oyster planting grounds	
3. OYSTER HARVESTING, SHUCKING, RELAY, AND BUYERS LICENSES	
Any person purchasing oysters caught from the public grounds of the Commonwealth or the Potomac River, for a single place of business with one boat or motor vehicle used for buying oysters	
Any person purchasing oysters caught from the public grounds of the Commonwealth or the Potomac River, for a single place of business with multiple boats or motor vehicles used for buying oysters	
For each person taking oysters by hand, or with ordinary tongs	
For each single-rigged patent tong boat taking oysters	
For each double-rigged patent tong boat taking oysters	
Oyster Dredge Public Ground	
Oyster Hand Scrape	
To shuck and pack oysters, for any number of gallons under 1,000	
To shuck and pack oysters, for 1,000 gallons, up to 10,000	
To shuck and pack oysters, for 10,000 gallons, up to 25,000	
To shuck and pack oysters, for 25,000 gallons, up to 50,000	
To shuck and pack oysters, for 50,000 gallons, up to 100,000	
To shuck and pack oysters, for 100,000 gallons, up to 200,000	
To shuck and pack oysters, for 200,000 gallons or over	
One-day permit to relay condemned shellfish from a general oyster planting ground	
4. BLUE CRAB HARVESTING AND SHEDDING LICENSES, EXCLUSIVE OF CRAB POT LICENSES	
For each person taking or catching crabs by dip nets	
For ordinary trotlines	
For patent trotlines	
For each single-rigged crab-scrape boat	
For each double-rigged crab-scrape boat	

For up to 210 peeler pots	
For up to 20 tanks and floats for shedding crabs	
For more than 20 tanks or floats for shedding crabs	
For each crab trap or crab pound	
5. CRAB POT LICENSES	
For up to 85 crab pots	
For over 85 but not more than 127 crab pots	
For over 127 but not more than 170 crab pots	
For over 170 but not more than 255 crab pots	
For over 255 but not more than 425 crab pots	
6. HORSESHOE CRAB AND LOBSTER LICENSES	
For each person harvesting horseshoe crabs by hand	
For each boat engaged in fishing for or landing of lobster using less than 200 pots	
For each boat engaged in fishing for or landing of lobster using 200 pots or more	
7. CLAM HARVESTING LICENSES	
For each person taking or harvesting clams by hand, rake, or with ordinary tongs	
For each single-rigged patent tong boat taking clams	
For each double-rigged patent tong boat taking clams	
For each boat using clam dredge (hand)	
For each boat using clam dredge (power)	
For each boat using hydraulic dredge to catch soft shell clams	
For each person taking surf clams	
Water Rake Permit	
8. CONCH (WHELK) HARVESTING LICENSES	
For each boat using a conch dredge	
For each person taking channeled whelk by conch pot	
9. FINFISH HARVESTING LICENSES	
Each pound net	
Each stake gill net of 1,200 feet in length or under, with a fixed location	
All other gill nets up to 600 feet	
All other gill nets over 600 feet and up to 1,200 feet	
Each person using a cast net or throw net or similar device	
Each fyke net head, weir, or similar device	
For fish trotlines	

Each person using or operating a fish dip net	
On each haul seine used for catching fish, under 500 yards in length	
On each haul seine used for catching fish, from 500 yards in length to 1,000 yards in length	
For each person using commercial hook and line	
For each person using commercial hook and line for catching striped bass only	
For up to 100 fish pots or eel pots	
For over 100 but not more than 300 fish pots or eel pots	
For over 300 fish pots or eel pots	
<u>For up to 100 eel pots</u>	
<u>For over 100 but not more than 300 eel pots</u>	
<u>For over 300 eel pots</u>	
10. MENHADEN HARVESTING LICENSES	
Any person purchasing more than one of the following licenses, as described in this subsection, for the same vessel, shall pay a fee equal to that for a single license for the same vessel.	
On each boat or vessel under 70 gross tons fishing for the purse seine menhaden reduction sector	
On each vessel 70 gross tons or over fishing for the purse seine menhaden reduction sector	
On each boat or vessel under 70 gross tons fishing for the purse seine menhaden bait sector	
On each vessel 70 gross tons or over fishing for the purse seine menhaden bait sector	
11. COMMERCIAL GEAR FOR RECREATIONAL USE	
Up to five crab pots	
Crab trotline (300 feet maximum)	
One crab trap or crab pound	
One gill net up to 300 feet in length	
Fish dip net	
Fish cast net	
Up to two eel pots	
12. SALTWATER RECREATIONAL FISHING LICENSE	
Individual, resident	
Individual, nonresident	
Temporary 10-Day, resident	
Temporary 10-Day, nonresident	
Recreational boat, resident	
Recreational boat, nonresident, provided a nonresident may not purchase a recreational boat license unless his boat is registered in Virginia	
Head Boat/Charter Boat, resident, six or less passengers	

Head Boat/Charter Boat, nonresident, six or less passengers	
Head Boat/Charter Boat, resident, more than six passengers, plus \$5.00 per person, over six persons	
Head Boat/Charter Boat, nonresident, more than six passengers, plus \$5.00 per person, over six persons	
Rental Boat, resident, per boat, with maximum fee of \$703	
Rental Boat, nonresident, per boat, with maximum fee of \$1270	
Commercial Fishing Pier (Optional)	
Disabled Resident Lifetime Saltwater License	
Disabled Nonresident Lifetime Saltwater License	
Reissuance of Saltwater Recreational Boat License	
13. COMBINED SPORTFISHING LICENSE	
This license is to fish in all inland waters and tidal waters of the Commonwealth during open season.	
Residents	
Nonresidents	
14. COMBINED SPORTFISHING TRIP LICENSE	
This license is to fish in all inland waters and tidal waters of the Commonwealth during open season for five consecutive days.	
Residents	
Nonresidents	
15. TIDAL BOAT SPORTFISHING LICENSE	
Residents	
Nonresidents	
16. LIFETIME SALTWATER RECREATIONAL FISHING LICENSES	
Individual Resident Lifetime License	
Individual Nonresident Lifetime License	
Individual Resident Lifetime License age 45 - 50	
Individual Nonresident Lifetime License age 45 - 50	
Individual Resident Lifetime License age 51 - 55	
Individual Nonresident Lifetime License 51 - 55	
Individual Resident Lifetime License age 56 - 60	
Individual Nonresident Lifetime License age 56 - 60	
Individual Resident Lifetime License age 61 - 64	
Individual Nonresident Lifetime License age 61 - 64	
Individual Resident Lifetime License age 65 and older	